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SUBJECT: EU/TURKEY: ACCESSION TALKS NOT A DONE DEAL

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11. (C) Summary: The current conventional wisdom in Brussels is that Turkey will get "yes-but" recommendations to start accession talks with the EU from the European Commission on October 6 and the European Council on December 17. We expect the debate in both bodies to be contentious. It would only take one dissenting vote in December to derail Turkey's prospects. End Summary

Time-Line: Key Dates

12. (C) European debate on Turkey will be driven by two key dates: October 6 and December 17. On October 6, the Commission will provide the Council with 1) an analysis of Turkey's performance when measured against the "Copenhagen Criteria," and 2) a recommendation on whether to offer a date for accession talks to Turkey. In addition, the Commission will also give the Council 3) an "impact statement" that will assess the impact on European institutions and budgets of possible Turkish membership. On December 17, the European Council (heads of government from all 25 Member States) should take a decision on offering Turkey a date to begin accession negotiations based on the outcome of Commission discussions. In between these two dates (on November 1), the current Prodi Commission will step down and be replaced with the new Barosso team. Commission sources tell us that the current Commissioners are determined to finish their recommendation on Turkey on their watch, however, so it is unlikely the new Commission would play a major role in this process.

October 6: Judged against what?

13. (C) The Commission's recommendation should be based on whether Turkey has adequately met the EU Copenhagen "political criteria." This means an assessment of Turkey's internal/domestic human rights reforms and practices in terms of laws passed and implementation of laws and reforms. By design, other political issues that will figure prominently in European political debate over Turkey (relations with Cyprus, religion, NATO, the costs of membership on current members, or the impact on ratification of a European Constitution) have been excluded. Also not at issue in the Commission report is the question of Turkey's "suitability" or eligibility for membership. For the Commission, Turkey is eligible, and the main question is whether or not Turkey's enormous political reforms and changes over the last five years are enough to offer a date to begin talks.

Setting the goalposts

14. (C) DG-Enlargement staffers who head the working-level effort on Turkey see the key question as follows: when compared with the last round of members and other current candidates, has Turkey done enough? Turkey, they say, should first be measured against "less than perfect" protections in other recently-admitted countries -- such as Slovakia's treatment of the Roma or Latvia's treatment of ethnic Russians. In addition, Turkey is to be considered in light of the situations in Croatia, Romania, and Bulgaria, all of whom have been offered negotiations despite flaws in their records. What the Commission has told us is that it wants to avoid judging Turkey by a different standard than it did for the new 10 members or 3 current applicants. The Commission's bottom line is that it will not ask that Turkey demonstrate "perfect" or "full" completion of the Copenhagen Criteria when some current member-states are also not perfect.

October 6: the "yes-buts"

15. (C) Current Brussels conventional wisdom is that Turkey will get a "yes-but" decision o/a October 6 (Commission sources tell us that the date could slip a few days), although no one expects debate among the Commissioners will not be controversial. The key internal debate in DG-enlargement is how to word a conditional yes to get it through the College of Commissioners. The Commission usually

decides by consensus, although a final decision can, in theory, be taken by simple majority vote. Under informal consideration in the Commission are two conditional "yes" recommendations:

-- yes, but listing certain conditions that still must be met before accession talks start; or

-- yes, but explicitly listing conditions that will be expected to be met during (not before) accession talks. This latter is sometimes called the "Croatia model" (ref A). Within DG-Enlargement, there is a strong belief -- almost an article of faith -- that accession negotiations themselves provide a powerful vehicle for effecting political and economic reforms.

The Commissioners: How They Line Up

16. (C) Importantly, DG-Enlargement officials preparing the reports have virtually ruled out a "flat no" as an option. For many Commissioners, led by Enlargement Commissioner Verheugen and President Prodi, EU enlargement is a legacy issue. Turkey is the last piece in the puzzle that they began to assemble at the Helsinki Summit of December 1999. Still, among the 30 Commissioners, there remains a wide range of views on Turkey, and no consensus on whether to offer a date. Already, Commissioners Bolkestein (Netherlands) and Fischler (Austria) have spoken out not only against offering a date, but also questioning Turkey's suitability for membership at all. The Bolkestein argument asserts that Islamic Turkey is not European, and therefore should not even be considered. His arguments run counter to the entire dynamic on Turkish membership over the last few years, and will likely fall flat. Fischler's key points are that taking on Turkey is too expensive for current members. These arguments may carry more weight with Commissioners who must juggle a budget, or political leaders looking for an out if this issue is moved to the Council in December. Spanish Commissioner De Palacios also reportedly opposes offering Turkey a date.

17. (C) In favor, among others, are RELEX' Chris Patten, Verheugen, and Prodi. Not all Commissioners are equal in the debate, and the views of the latter three Commissioners will likely carry more weight than the opinions of other Commissioners. There are a number of Commissioners who are likely to go with the consensus -- or if consensus is impossible then with the majority opinion.

NGOs: All Over the Board

18. (SBU) As we enter the waning days of the debate, a number of NGOs have released reports designed to influence and shape the debate. Some recommend kicking the issue down the road (again), others question Turkey's democratic and cultural credentials to join the Union, while still others strongly endorse membership for strategic reasons. None are likely to change the outcome in the Commission.

The European Council "Wild Card"

19. (C) The heads of state and government at the December 17 European Council will have the final say. They meet behind closed doors. The leaders will be under enormous pressure to make a decision, and strange deals have been known to emerge as a result. Decision-making requires consensus: it takes only one country ready to vote against Turkey to derail the process.

110. (C) Political leaders will weigh their previous commitments to Turkey and the enlargement process against broad skepticism among their voting publics about Turkish membership and the EU in general. Greece, Germany, the UK, and Poland have all pronounced in favor of a date for accession talks December 17. France's position is more complex, but President Chirac has come out in support of giving Turkey a date. We expect that some/all the Balts will swing behind membership for Turkey also, but Turkish FM Gul's recent trip to the region was aimed at shoring up Baltic support. Cyprus and Austria are reportedly most skeptical about membership, with Denmark also said to be wavering, and the Hague facing strong public opposition. Other member-states appear to have no strong views, and could go with a consensus either way.

The Triumph of Inertia Over Politics?

111. (C) The arguments in favor of Turkish admission are strong. Recent progress has been laudible, and the strategic arguments for bringing a moderate Islamic democracy into the European fold are compelling. European leaders have also made so many promises to Turkey over the years that pulling back at this time would be viewed as a colossal breach of

faith. For much of the European voting public, however, these arguments have not proved convincing. Less than one third of Europeans polled recently believe that Turkish membership in the EU is a good thing. For many of Europe's political leaders, who were pummeled in this summer's European Parliament elections, the pressures to pander to voters at home by standing firm on Turkey could prove appealing. The poorer new members, hoping to reap benefits of EU programs, will fear that Turkish membership could come at their expense. Another potential dividing line could come over religion, especially if the Vatican weighs in more forcefully. A number of Christian Democrats have already expressed variations of this theme, including Commissioners Bolkestein and Fischler. Some leaders, worried about the possible impact on referenda on the European Constitution to be held next year, could argue for postponement. In European politics, these are all powerful arguments against a yes vote for Turkey in December.

Cyprus??

12. (C) One critical difference between the Copenhagen decision in 2002 and the situation today is that Cyprus is now a member of the EU. The conventional wisdom in Brussels is that Cyprus would not dare block Turkish membership, especially since Greece has staked a strong strategic position in favor. But Brussels orthodoxy has already been flummoxed by Cypriot President Papadopoulos on two occasions -- first in opposing the April referendum, and then by blocking the EU's aid/trade package for Northern Cyprus. Nicosia has proven it is willing to stand firm, even in isolation, on matters directly related to its dispute with Turkey. And if they hold firm in December on Turkish membership, it won't matter how the other 24 countries line up.

Will they flinch in December?

13. (C) EU heads will make the final determination on Turkey this year -- not Foreign Ministers and not the Commission. The Dutch Presidency will be key in shaping and guiding the debate, particularly as the European Council approaches. Nonetheless, the deciding factor will be the political calculations that 25 leaders make at the European Council. As they weigh public opinion, North Cyprus, the role and place of Islam in Europe, fears about job losses, the costs of Turkish membership, uncontrolled internal migration, and lower agricultural and regional subsidies that their countries might receive after eventual Turkish membership, the attraction of avoiding any decision will grow. A rancorous and fear-driven public debate in Europe this fall could easily push the heads of states and government to flinch on December 17. This is an issue the key European leaders will have to struggle with; we should listen to their concerns and continue to urge them privately to keep their eyes focused on the historical nature of the decision rather than immediate political gains.

McKinley